

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 86, 88-94, 96-102 and 104-109 remain pending in the application. By this Amendment, claims 86, 91, 94, 99 102 and 107 are amended. No new matter is added.

On page 2 of the final Office Action, the Examiner objects to claims 91, 99 and 107. To address the Examiner's concerns, claims 91, 99 and 107 are amended. Withdrawal of the objection to the claims is respectfully requested.

On pages 2-7 of the final Office Action, independent claims 86, 94 and 102, along with all dependent claims, are rejected as being unpatentable over US Patent 6,167,383 (Henson) in view of Maglitta, "Special Dell-ivery," Electronic Business, Highlands Ranch: Dec. 1997, Vol. 23, Issue 12; page 43, 8 pages. This rejection is respectfully traversed.

Applicants have disclosed a system for presenting customized bundled products to members of a group for purchase on a vendor's e-commerce site. For example, Applicants have disclosed a system for presenting customized bundled products to members of a group for purchase on a vendor's e-commerce site, wherein a server application is responsive to a request from an authorized user associated with the group, e.g. an administrator, to present a first interface that enables the authorized user to define a plurality of virtual bundles. Each virtual bundle comprises a set of one or more products supplied by the vendor and selected by the user. An example of such an interface is illustrated in Figures 3-1 and 3-2 of the application. The server application can allow said requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or

option selecting. The first interface can enable the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser.

The foregoing features are broadly encompassed by independent claims 86, 94 and 102. For example, claim 86 recites a system for presenting customized bundled products to members of a group for purchase on a vendor's e-commerce site, including, among other features, a server application that is responsive to a request at said vendor's e-commerce site, which request identifies the requestor as a member of said group, to present a second interface that retrieves said information from said database, displays the virtual bundles of products defined by said authorized user and allows said requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, wherein said first interface enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser.

The Henson patent would not have taught or suggested, among other features, a server application that is responsive to a request at said vendor's e-commerce site, which request identifies the requestor as a member of said group, to present a second interface that retrieves said information from said database, displays the virtual bundles of products defined by said authorized user and allows said requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, wherein said first interface enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser, as recited in claim 86, which features are similarly recited in the method claim of claim 94 and the computer-readable medium claim of 102. The Examiner admits at page 4 of the final Office Action that "As per claim 86,

Henson does not specifically state that requestor members of the group are allowed to select predefined virtual bundles for purchase without further configuration or option selecting."

The Maglitta publication does not cure the deficiencies of the Henson patent. The Maglitta publication relates to how one company's online ordering works. Specifically, the Maglitta publication discloses that authorized users log on to a password-protected site, and gives an example of employees submitting approved requisitions to a company purchasing agent (See, Maglitta, Step 1: Order Taking). The Maglitta publication does not disclose, nor otherwise suggest, a server application responsive to a request by an employee as a member of the company to display a pre-defined bundle of products set up by an authorized user selectable from a set of predefined bundles for purchase, without further configuration or option selecting. This concept of a ready selection of a bundle of products by an employee which is pre-defined, or pre-packaged by a "purchasing agent" seems entirely missing.

Further, Applicants' independent claims 86, 94 and 102 recite a first interface which enables an authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser. Nowhere in Maglitta publication does it teach or suggest 1) a first interface for an authorized user to 2) indicate whether the products in a defined virtual bundle can be configured by a purchaser. Rather, the article merely mentions employees being able to submit requisitions to a "purchasing agent", and merely refers to employees themselves configuring the desired system or picking pre-selected model as a part of their submission of electronic purchase order.

Even if combined as suggested by the Examiner, the combination of the customer configured computer system as disclosed in the Henson patent and the Maglitta disclosure of an employee's capability for picking/configuring an order entry model while entering the order entry is still devoid of the features pertaining to 1) a pre-defined bundle of products set up by an authorized user selectable from a set of predefined bundles for purchase, and 2) a first interface which enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser, as recited in claim 86, which features are similarly recited in the method claim of claim 94 and the computer-readable medium claim of 102.

For at least this reason, therefore, it is respectfully submitted that independent claims 86, 94 and 102 are patentable over the prior art of record. Additional distinguishing features of the invention are set forth in the other claims, and not suggested by the cited prior art. A discussion of these other features will be held in abeyance, pending further examination.

On pages 13 and 14 of the final Office Action, the Examiner asserts that an issue of public use or on sale activity has been raised in this application. The Examiner request additional information regarding the issues as required for three enumerated issues. Applicants respectfully traverse the enumerated issues as follows.

With respect to issue 1, on page 13 of the final Office Action, the Examiner asserts that "Specific features claimed are disclosed in pages 1-3 of 09_544718_n_545305_ScreenImages_StoreAppleCom_01.doc." Applicants respectfully would like to correct for the record that the reference as actually sent with the final Office Action is properly identified as

"09_544718_n_545304_ScreenImages_StoreAppleCom_01.doc." Based on our review of what is actually sent, we traverse the Examiner's assertion. Pages 1-3 of "09_544718_n_545304_ScreenImages_StoreAppleCom_01.doc" would not have taught or suggested 1) virtual bundles of products defined by an authorized user, 2) allowing a requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, 3) wherein a first interface enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser. None of these three specific features are even remotely suggested. First, page 1 is a snapshot of children with a label called "The Apple Store"™ This does not demonstrate any "bundling" concept in itself. Second, page 2 is a mere "Purchaser Validation" screen that requests an AppleID and a Password. Any web based purchaser in web commerce has a user ID and a password, and this only demonstrates a secure mode of web transaction. This does not in any way demonstrate at least the following recited claim features: 1) virtual bundles of products defined by an authorized user, 2) allowing a requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, 3) wherein a first interface enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser. See, independent claims 86, 94 and 102.

With respect to issue 2, bridging pages 13 and 14 of the final Office Action, the Examiner asserts that "Specific features claimed are disclosed in pages 1-4 of 09_544718_n_545305_ScreenImages_StoreAppleEducation_02.doc." Applicants respectfully would like to correct for the record that the reference as actually sent with the final Office Action is properly identified as

"09_544718_n_545304_ScreenImages_StoreAppleEducation_02.doc." Based on our review of what is actually sent, we traverse the Examiner's assertion. Pages 1-4 of "09_544718_n_545304_ScreenImages_StoreAppleEducation_02.doc." would not have taught or suggested 1) virtual bundles of products defined by an authorized user, 2) allowing a requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, 3) wherein a first interface enables the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser. None of these three specific features are even remotely suggested. First, pages 1 and 2 are mere web pages that serve as a marketing advertisement labeled "Hot News for Higher Ed". This does not demonstrate any "bundling" concept in itself. Second, page 3 is a mere "Price List" broken out by whether the purchaser clicks the hyperlink called "K-12 Individuals"; "K-12 Institutions"; "Higher Education Individuals"; or "Higher Education Institutions." As Applicants have argued against the Henson patent, this separate pricing scheme is clearly based on a user clicking a hyperlink, i.e., a different hyperlink presents a different set of prices. This hyperlink-based price listing is what page 4 demonstrates. In totality, pages 1-4 do not even remotely teach or suggest a request at a vendor's e-commerce site, which request itself being used to identify the requestor as a member of a group. See, Applicants' independent claims 86, 94 and 102. Further, pages 1-4 do not teach or suggest at least the following recited claim features: 1) virtual bundles of products defined by an authorized user, 2) allowing a requestor to select one or more of said predefined virtual bundles for purchase, without further configuration or option selecting, 3) wherein a first interface enables

the authorized user to indicate whether the products in a defined virtual bundle can be configured by a purchaser. See, independent claims 86, 94 and 102.

With respect to issue 3, on page 14 of the final Office Action, the Examiner asserts that "applicant's site has been operating at least since 2 December 1998." Applicants respectfully submit that there is no issue of prior public use and there is no issue of prior sales activity of the claimed features. The pages as presented by the Examiner would not have taught or suggested the claimed features as Applicants have set forth.

Reconsideration and withdrawal of the previous grounds of rejection, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


Richard J. Kim
Registration No. 48360

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620